

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

FIRST PIONEER FARM CREDIT,

Plaintiff,

v.

FIRST PIONEER CREDIT UNION,

Defendants.

CIVIL ACTION NO.  
04-12508 GAO

**PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

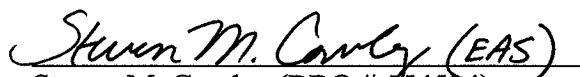
Plaintiff First Pioneer Farm Credit, ACA ("First Pioneer"), hereby submits this Motion for a Preliminary Injunction against Defendant First Pioneer Credit Union (the "Credit Union") enjoining the Credit Union from directly or indirectly using First Pioneer's "First Pioneer" mark or any other mark, word, or name similar to First Pioneer's mark in any signage, press release, advertisement, or any promotional material or in connection with the marketing, advertising, or promotion of its financial services. In support of Plaintiff's Motion for Preliminary Injunction, Plaintiff submits the attached Memorandum of Law.

Local Rule 7.1 Certification

The undersigned hereby certifies, pursuant to Local Rule 7.1(a)(2), that counsel for the Plaintiff has conferred with counsel for the Defendant and attempted in good faith to resolve the issues presented in this Motion for Preliminary Injunction but was unable to do so.

FIRST PIONEER FARM CREDIT, ACA

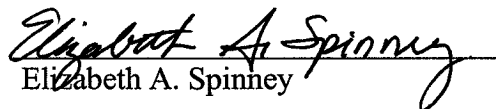
By its attorneys,

  
Steven M. Cowley (BBO # 854534)  
Elizabeth A. Spinney (BBO # 657848)  
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Boston, MA 02110  
(617) 439-4444

Dated: December 3, 2004

CERTIFICATE OF SERVICE

I, Elizabeth A. Spinney, hereby certify that on this 3rd day of December, 2004, I caused a copy of the foregoing to be served by fax and first-class mail upon the attorney of record for the defendant.

  
Elizabeth A. Spinney